

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

1600 PACIFIC LANDLORD, LLC.

*Plaintiff,*

V.

ATLANTIC SPECIALTY INSURANCE  
COMPANY, INTERNATIONAL  
MARINE UNDERWRITERS, INC.,  
AND ONEBEACON INSURANCE  
GROUP, LLC.

Defendant

## NOTICE OF REMOVAL

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Atlantic Specialty Insurance Company, International Marine Underwriters, Inc., and OneBeacon Insurance Group, LLC are named as Defendants in the matter entitled, “1600 Pacific Landlord, LLC v. Atlantic Specialty Insurance Company, International Marine Underwriters Inc., and OneBeacon Insurance Group, LLC,” now pending in the 101<sup>st</sup> Judicial District Court of Dallas County, Texas, bearing Cause Number DC-15-11419. Defendants, pursuant to 28 U.S.C. §1441 and §1446, give notice of removal of this suit from the 101<sup>st</sup> Judicial District Court of Dallas County, Texas, to the United States District Court for the Northern District of Texas, Dallas Division, for the reasons set forth below.

1. On or about September 17, 2015, Plaintiff filed an Original Petition in the above-referenced suit pending in Dallas County.
2. The Corporate Citation and Original Petition were served on Defendant, Atlantic Specialty Insurance Company through the Secretary of State, Office of the Secretary of State

Citations Unit in Austin, Texas on October 7, 2015.

3. On or about October 20, 2015, Plaintiff filed an Amended Petition in the above-referenced suit pending in Dallas County.

4. The Corporate Citation and Amended Petition were served on Defendant, OneBeacon Insurance Group, LLC by hand delivery at its office located at 605 Highway 169 North Suite 800, Plymouth, MN, 55441 on October 29, 2015.

5. International Marine Underwriters, Inc. has not been served.

6. This Notice of Removal is being filed within thirty (30) days after receipt by Defendant Atlantic Specialty Insurance Company of a copy of the Corporate Citation and Plaintiff's Original Petition and is timely filed under 28 U.S.C. §1446(b).

7. Defendant, Atlantic Specialty Insurance Company's answer date is November 2, 2015 in the state court suit.

8. The above-described action is a civil action involving a claim by Plaintiff for insurance proceeds and related damages allegedly sustained in connection with an act of vandalism/fire in Dallas, Texas on or about May 5, 2014.

9. This Court has original jurisdiction over this action under the provisions of 28 U.S.C. §1332, in that there is a complete diversity of citizenship among the parties to this action and the amount in controversy exceeds the sum of \$75,000.00, exclusive of interests and costs. The instant Notice of Removal is brought pursuant to 28 U.S.C. § 1441(a).

10. Plaintiff is a citizen of Louisiana. OneBeacon Insurance Group, LLC, is a holding company which is a Delaware corporation with its principal place of business in Minnesota. International Marine Underwriters is a trademark which is owned by OneBeacon Insurance

Group LLC (*See* Declaration attached and incorporated here as Exhibit A.) Accordingly, complete diversity of citizenship exists between Plaintiff and Defendants.

11. Plaintiff specifies in its Amended Petition that it seeks monetary relief in excess of \$1,000,000.00. (*See* Original Petition, p. 1, ¶ I).

12. Pursuant to Local Rule 81, the following documents are attached hereto:

- A. Declaration
- B. The corporate citation served on Atlantic Specialty Insurance Company, et al; Original Petition
- C. Plaintiff's Original Petition;
- D. The corporate citation served on Atlantic Specialty Insurance Company, et al; Amended Petition
- E. Plaintiff's Amended Petition
- F. An index of matters being filed;
- G. A list of all counsel of record, including addresses, telephone numbers and parties represented; and
- H. Docket sheet from state court action.
- I. Civil Cover Sheet
- J. Supplemental Cover Sheet
- K. Index of Documents Filed in State Court
- L. Certificate of Interested Parties

Defendants request that the above-described suit now pending in the 101<sup>st</sup> Judicial District Court of Dallas County, Texas be removed to this Honorable Court.

Respectfully submitted,

BY: /s/ Frank A. Piccolo

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**ATTORNEY IN CHARGE FOR  
DEFENDANTS**

OF COUNSEL:

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**CERTIFICATE OF SERVICE**

In compliance with Rule 5 of the Federal Rules of Civil Procedure, I certify that on this the 4th day of November 2015, a true and correct copy of the above and foregoing document was served on all known counsel of record by facsimile, certified mail, and/or electronic service:

Michael S. Alfred  
HALLETT & PERRIN, P.C.  
1445 Ross Avenue, Suite 2400  
Dallas, Texas 75202

/s/ Frank A. Piccolo  
Frank A. Piccolo